

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

HOWARD LEVENTHAL

No. 13 CR 844

Judge Andrea R. Wood

**GOVERNMENT'S MOTION TO DISMISS MOTION FOR ORDER TO
SHOW CAUSE AND MOTION FOR SANCTIONS**

The UNITED STATES OF AMERICA, by its attorney, JOHN R. LAUSCH, JR., United States Attorney for the Northern District of Illinois, moves this court to dismiss the following two filings by defendant Howard Leventhal: Motion For Order To Show Cause, Criminal Contempt Under Fed. R. Crim. Pro. 42 And For Order Of Protection; and Motion For Sanctions And To Vacate Judgment Or Other Relief.

1. On December 24, 2020, defendant Howard Leventhal filed what he called a Motion For Order To Show Cause, Criminal Contempt Under Fed. R. Crim. Pro. 42 And For Order Of Protection. R. 42. The motion purports to seek to hold in criminal contempt the former AUSA who prosecuted Leventhal in the Eastern District of New York (EDNY), the FBI agent who investigated that case, Leventhal's former wife, Mary Handeland, the EDNY United States Probation Officer (USPO) who handled Leventhal's case there, the CJA-appointed attorney who represented Leventhal in the EDNY, the USPS in this district who was first assigned to Leventhal's case when it was transferred here in March 2020, and the Chief USPO in this district.

2. The next day, December 25, 2020, Leventhal filed what he called a Motion For Sanctions And To Vacate Judgment Or Other Relief. R.43. That motion purports to seek sanctions against the people named the prior day in his Motion For Order To Show Cause, as well as two Grafton, Wisconsin, police officers, the District Attorney and an Assistant District Attorney of Ozaukee County, Wisconsin, a Wisconsin attorney who represented Ms. Handeland and her daughter in their successful efforts to obtain orders of protection against Leventhal, and two USPOs in this district.

3. These two filings have no legal basis or merit, are frivolous, and are brought solely to harass those named by Leventhal.

Accordingly, the government respectfully requests this Court to dismiss the Motion For Order To Show Cause, R. 42; and the Motion For Sanctions, R. 43.

Respectfully submitted,

JOHN R. LAUSCH, JR.
United States Attorney

By: /s/ William R. Hogan, Jr.
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CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorney hereby certifies that in accordance with FED. R. CRIM. P. 49, FED. R. CIV. P. 5, LR5.5, and the General Order on Electronic Case Filing (ECF), the following document: **GOVERNMENT'S MOTION TO DISMISS MOTION FOR ORDER TO SHOW CAUSE AND MOTION FOR SANCTIONS** were served pursuant to the district court's ECF system as to ECF filers, if any, and were sent by U.S. mail on January 7, 2021, to the following non-ECF filers:

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Respectfully submitted,

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Dated: January 7, 2021